

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SERENITY INVESTMENTS LLC, et al.,

Plaintiffs,

v.

SUN HUNG KAI STRATEGIC CAPITAL
LIMITED, et al.,

Defendants.

Case No. 22-cv-01623-YGR (LJC)

**ORDER GRANTING PLAINTIFFS’
MOTION FOR ISSUANCE OF
LETTERS OF REQUEST UNDER THE
HAGUE CONVENTION**

Re: ECF No. 122

On February 23, 2024, Plaintiffs Emma Cuadrado, as Trustee of the Daniel v. Tierney 2011 Trust, and Serenity Investments LLC, filed a “Letter” with the Court in which they brought a Motion for Issuance of Letters of Request Under the Hague Convention (Motion). ECF No. 122. Plaintiffs’ Letter was not a duly noticed motion pursuant to Civ. L.R. 7-2, nor did it comport with any of the other means by which a party may bring any written request for an order as listed in Civ. L.R. 7-1(a). ECF No. 123. Nevertheless, the Court set March 4, 2024, as the date by which any response to Plaintiffs’ Motion could be filed pursuant to Civ. L.R. 7-3. *Id.* The Court did not set a reply deadline, nor did it set a hearing date for Plaintiffs’ Motion. *Id.*

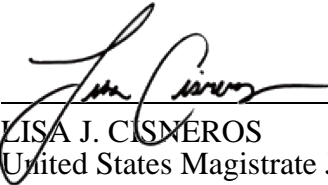
No response/opposition to the Motion was filed by the deadline, meaning that the Motion is unopposed. Under Rule 28(b)(1)(B) of the Federal Rules of Civil Procedure, parties may take depositions in a foreign country upon the issuance of a letter of request from the federal court. *See also Intel Corp. v. Advanced Micro Devices, Inc.*, 542 U.S. 241, 247, n.1 (2004) (A letter of request or letter rogatory “is the request by a domestic court to a foreign court to take evidence from a certain witness.”) “Judges in this district have held that motions requesting issuance of a letter of request or letter rogatory should generally be granted and that ‘[t]he opposing party must show good reason for a court to deny an application for a letter rogatory.’” *Zoho Corp. Pvt. Ltd v.*

1 *Freshworks, Inc.*, No. 20-CV-01869-VC (TSH), 2021 WL 2769009, at *2 (N.D. Cal. July 2, 2021)
 2 (quoting *Successor Agency to Former Emeryville Redevelopment Agency v. Swagelok Co.*, 2020
 3 WL 7042860, at *2 (N.D. Cal. Dec. 1, 2020)). Like all discovery, motions for letters of request
 4 are subject to the standards of Rule 26(b), which provides that “[p]arties may obtain discovery
 5 regarding any nonprivileged matter that is relevant to any party’s claim or defense.” Fed. R. Civ.
 6 P. 26(b)(1).

7 Having considered Plaintiffs’ Motion, and with no objections in the record from any party
 8 to this litigation, the Motion is hereby **GRANTED**. The Court adopts the Letters of Request
 9 attached to the Motion as Exhibits A and B. ECF Nos. 122-2, 122-7. The Clerk of Court shall file
 10 the executed letters as attachments to this Order.

11 **IT IS SO ORDERED.**

12 Dated: March 11, 2024

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 15 LISA J. CISNEROS
 16 United States Magistrate Judge
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